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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,068	11/15/2001	Amin Halim	38146	7619
29569	7590	06/30/2004	EXAMINER	
JEFFREY FURR 253 N. MAIN STREET JOHNSTOWN, OH 43031			JACKSON, BLANE J	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/683,068

Applicant(s)

HALIM ET AL.

Examiner

Blane J Jackson

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### Response to Amendment

1. Applicant's response with respect to claims 22-32 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thakker (U.S. Patent 6,487,602) with a view to Laporta et al. (U.S. Patent 5,974,300).

As to claim 22, Thakker teaches a messaging system comprising:

(a) software contained on a website with specific dates and time records enter into (figure 3, application software (AP), routinely send updated information at regular time intervals, column 6, lines 25-42),

(b) a wireless communication device (figure 3, mobile telephone (20)),

(c ) means for originating an electronic message (application program associated with a Web site, column 5, lines 6-25) including:

(i) a destination address associated with the wireless communication device (column 3, line 48 to column 4, line 6),

(ii) from the software a time and date record at which to send the electronic message associated with the originating means (a schedule at which to send the electronic message associated with the originating means, services by the AP, column 6, lines 26-42),

(iii) an electronic message (SMS, column 3, line 63 to column 4, line 61),

(d) means for performing the step of forwarding the electronic message to the wireless communication device via a selected communication connection (figure 3, column 6, lines 26-42).

Thakker teaches software, the application program (AP) associated with a Web site server is capable of wireless user services, retrieve requested information and follow *scheduled* update information at regular time intervals (column 6, lines 26-42) but does not teach *calendar software* to compare the time and date with a time and date record from the calendar software and creating an electronic message if the time and date match the time and date record.

Laporta teaches a two way wireless cellular electronic SMS based message system that additionally utilizes a messaging user agent server that provides value services in coordination with a SMS based messaging center (302) for the cellular user (figures 1, 14, 15a, 15b, column 19, lines 27-60). Laporta also teaches the user agent (figure 11, (11)) includes user agent programs and can be programmed to perform specific tasks as desired by the subscriber such as maintaining a personal calendar, an associated database with user information and retrieving specific information from a Web site (column 7, lines 18-57). Laporta further teaches the messaging system can be

used as a calendar reminder service where reminders and alarms are generated at any time of scheduled appointments that can be entered into the calendar as part of the user agent on the program based server (column 16, lines 34-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to realize in the application program of Thakker the extended services provided by the user agent client server of Laporta to originate individually specified time and date controlled messages so as to notify a user at any time of scheduled appointments, anniversaries and important dates.

As to claim 23, Thakker teaches the wireless communication device comprises a digital mobile telephone (figure 2, (20), column 3, line 63 to column 4, line 16).

As to claims 24-26, Thakker teaches the originating means comprises a client/server system mail server on the Internet (origination: column 6, lines 32-42 and the application program (AP) resides on a Web site (mail) server: column 5, line 49 to column 6, line 32).

As to claim 27, Thakker teaches the messaging system of claim 1 wherein the communication connection is the Internet (figure 3, Internet (160)).

As to claim 28, Thakker teaches the communication connection is a direct connection from the messaging system to a message (mobile SMS) operator for

transmission to the wireless (mobile telephone) communication device (column 5, lines 6-25).

As to claim 29, Thakker teaches the messages can go out to a plurality of receivers (column 6, lines 25-35).

As to claim 30, Thakker teaches the messages are sent on the time a date inherently based on the time zone that the receiver is in (example of routinely send updated information at regular time intervals to all of the subscriber in the area served by the MSC/VLR, column 6, lines 34-42).

As to claim 31, Thakker teaches the messages go from the calendar site Web server to an SMS server and then to the user's wireless device (figure 3, column 3, lines 6-25).

As to claim 32, Thakker teaches the system has an event database (figure 3, server (210), column 6, lines 25-42).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (703) 305-5291. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJJ

  
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